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THE COST OF CRIME.

WARREN F. SPALDING.¹

Bishop Lawrence has well said, "If the Gospel will not touch some men's hearts, the warning of heavier taxation will touch their pockets; and the neglect of the prisoner means the increase of taxes." Yet the average taxpayer is indifferent to the crime question, and to the cost of the criminal. He searches everywhere else to find opportunities for economy in the expenditure of his money. He complains that too much money is spent for streets and parks and schools. He scrutinizes almost every item of state and municipal budgets, but only rarely does he ask whether there can be a reduction in the cost of crime. His pocket is "touched" by the criminal, but he is not "warned by heavier taxation."

Why? Partly because he has no means of knowing how much he is paying on account of crime. If tax bills were itemized; if the cost of police, courts and prisoners were put by itself, so that the taxpayer could see how much he was paying, and could realize what an expensive citizen the criminal is, he would at once become interested in the crime question, for financial reasons, if for no higher ones. Even then, he would be very likely to insist that his burden on this account should be reduced by cutting down the salaries of the police, and by reducing the quantity and quality of the food, clothing, etc., of the prisoner. Only the careful student would see that the only way to reduce crime cost materially is to reduce crime.

Another cause of the apathy of the taxpayer is found in the common assumption that crime is inevitable; one of the things which must exist, no matter at what cost. He is willing to have his taxes increased to promote the public health. He sees that by an addition of a few cents on a thousand to his taxes for the abolition of tuberculosis, for instance, in a few years the great white plague will be abolished, the expense will cease, and there will be great economic gains, to pay him for a temporary expenditure. But he would laugh at anybody who would suggest that by a large temporary expenditure crime could be abolished, or even reduced. He thinks that is a vision of some sentimental-

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ists, and he has no respect for sentimentalists. So he pays his crime bill without asking whether it can be reduced, and expects to pay it always. He assumes that as long as there are human beings there will be a considerable percentage of them who will be so bad that the good people will have to pay for keeping them, and for keeping them down.

It is not easy to ascertain the actual cost of crime. Much of it is indirect. For example, to-day a certain man is a good citizen, working steadily, supporting his family, bearing his share of the public burden. To-morrow he becomes a criminal. There must be a policeman to arrest him, a court to try him, a prison to punish him. But no one can tell what he costs. The addition of one new criminal does not cause any increase in the cost of the police force, or of the courts. And when he comes to the prison, the principal added cost, for one added man, is for his food and clothing. The prison is there, and the cost of administration, of fuel and lights, of the maintenance of buildings, and the like, is not affected materially by the number of prisoners, unless it becomes unusually large.

There are those who divide the cost of the police department by the number of persons arrested, the cost of a court by the number of persons tried, and the cost of a prison by the number of inmates, and adding these together tell you the cost of each criminal, but the man who to-day is a good citizen and to-morrow becomes a criminal, has not added materially to the cost of either of the three great departments which deal with him. No one can tell what he—one criminal—costs. We can only deal with great aggregations of criminals and great aggregates of crime costs.

But follow this case a little farther. This man supported himself and his family. He was a producer. He ceases to produce; he is transformed into a consumer. No one can accurately estimate the economic loss. What of his family? It must exist. Somebody must take his place as its supporter. Perhaps his relatives or friends; perhaps one or more of the private charities; very likely it becomes a public charge, on the pauper list. Its support is another of the unascertained costs of crime.

There is another item of crime cost which cannot even be estimated. Police reports usually contain items covering "property reported stolen," and "stolen property recovered," but as a rule they include but a small part of the losses by theft. The unreported thefts, embezzlements, etc., are far greater than

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individuals. Property destroyed by criminals, in various ways, must also be considered, though its value cannot be ascertained for use in estimating the cost of crime.

Only three items of crime cost can be stated with approximate accuracy. They are the cost of the police, of courts and of penal and reformatory institutions. And even these cannot be ascertained, in most states, excepting by a special investigation, at large expense, involving personal inquiries of each police department, court and institution.

The federal reports upon the expenditures of cities do supply important information upon one point—as to the cost of police. They group together all cities containing a population of 8,000 and more, and give the number of arrests and the cost of police. The figures do not represent the entire cost of the police of the country. Cities and towns with a population of less than 8,000 are not included. In many of them there are organized, salaried police forces, and in many others the police and constables are paid in fees. The aggregate is very large, but is not ascertainable.

But of the crime in cities having a population of 8,000 or more, and of the cost of police, we have definite knowledge. The number of arrests was 1,386,784, and the total cost of the police of those cities was nearly forty million dollars!

Lest some pessimist should use this enormous number of arrests to prove how bad this country is, it should be said that of the 1,386,784 arrested in the cities (and a great number in the towns), less than 150,000 were bad enough to be sentenced to imprisonment. Many more thousands reached the prisons, in 1904, the last year for which we have returns, committed for the non-payment of fines. By imposing a fine instead of a term sentence, the court said that it did not think the defendant deserved imprisonment, but he is sent to prison, though he did not deserve it, not because he committed a certain offense, but because he could not pay his fine at the moment of his conviction—imprisoned merely for being poor. The real "crime" of the country is represented by the number whose offenses were serious enough to be punished by sentences to imprisonment, and many of these had committed only petty offenses. The cost of prisons is greatly enhanced by the support of those committed for being too poor to pay fines.

In Massachusetts all the facts in relation to crime costs for police, courts and prisons may be found in published reports,

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though they are scattered through many documents. The expense of dealing with crime is divided between the state, the county, and the city or town. There is no logical reason for this division, for crime is against the state, and not against counties, or cities and towns, but it is the established method.

The largest item of state crime costs, in Massachusetts, is that for the support and supervision of penal and reformatory institutions.

The state maintains a penitentiary, for a few of the worst criminals, having long sentences; a reformatory for a small proportion of the younger men, and another for women, and assumes the care of almost all the institution children. The state also pays the salaries of the superior court judges and maintains an attorney-general's department. The superior court has both civil and criminal terms, and the attorney-general's department attends to both civil and criminal business, for the state. For the purposes of this estimate of state crime costs it may safely be assumed that one-half the salaries of the judges is chargeable to criminal business. Certain expenses of the attorney-general's department belong to the civil side. It is fair to charge crime with one-half the remainder. The state also pays the salaries of district attorneys (prosecuting officers in the superior court) and the cost of the criminal department of the state police force.

The net aggregate of all these crime expenses for 1908 (the figures for 1909 are not yet available) was \$1,156,000, or 21 per cent of the state tax of \$5,500,000.

The counties are required to pay the expenses of the criminal terms of the superior court, and the expenses of the inferior courts. (We have no city courts, supported by municipalities.) The inferior courts have both civil and criminal jurisdiction. In this estimate it is assumed that one-half of the expense of these courts, including salaries of sheriffs and clerks, is chargeable to crime. (No account is taken of the salaries of other officers, or of the great cost of maintaining courthouses, etc.)

The counties also maintain the truant schools and the minor prisons (jails and houses of correction). The net cost of these prisons in 1908, after deducting receipts for labor, and from certain fines which go to the counties, was \$633,333. The aggregate of all the county crime costs, for courts, prisons and truant schools, was \$1,315,222. The total of state and county crime costs was, therefore, nearly two and one-half million dollars.

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The state and the counties pay the cost of trying and punishing criminals, but the cost of arrest is thrown upon the cities and towns. There was a time when crime was local; when most of the offenses were committed by persons who resided in the county or city of their wrongdoing. All this has changed. A very large percentage of the offenders arrested in any city (ordinarily fully twenty-five per cent) are non-residents, but the old system survives of imposing upon cities and towns the cost of arrest and upon counties the cost of the courts. The cost of the police of Massachusetts cities, after deducting receipts for fines, and small amounts from other sources, was nearly four million dollars. Massachusetts has 33 cities and 295 towns; 66 per cent of the population and 80 per cent of the arrests are in the cities; 33 per cent of the population and 19 per cent of the arrests are in the towns. The cost of the police of towns is not easily ascertained, but twenty-five of the largest reported police expenses of more than \$200,000.

Here, then, is the crime bill of Massachusetts: In the state tax, \$1,156,000; in county taxes, \$1,315,222; in city and town taxes, more than \$4,200,000. The total is *more than six and one-half million dollars*.

The several taxes to which reference has been made—state, county, and city or town—are merged in one tax bill, presented to the taxpayer by the city or town in which he resides. The city and town treasurer sends to the state treasurer and county treasurer that which belongs to them. The taxpayer has no means of knowing what part of the tax which he pays is spent on account of crime. But it can be stated in a few words: The aggregate of *all* taxes levied upon Massachusetts taxpayers, in state, county and city taxes, was \$64,046,487. The detection, conviction and punishment of crime—police, courts and prisons—required *more than one-tenth of all the money raised by taxation for all purposes*.

The only single expenditure which equaled that for crime was that for education.

As a rule the expenditures for dealing with crime in the cities are larger than those of the towns, on account of the large, organized, salaried police departments. The crime expenses of Boston are a good illustration of those of the average large city. The cost of police was \$1,943,847. The criminal business of the courts, inferior and superior, was nearly \$300,000. The prisons, parental

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school (for truants) and reform school cost \$380,067—all these sums being in excess of receipts. To these local crime expenses, amounting to \$2,623,914, must be added \$415,453 for crime costs in state tax, making the total of crime costs paid by Boston taxpayers \$3,039,367.

If these costs had been paid upon a separate tax bill, it would have called for \$2.14 upon each \$1,000 of taxable property.

The tax rate in 1908 was \$16.50. Of this more than one-eighth was spent on account of crime—for police, courts and prisons. If a man or woman paid a tax of \$1,000, \$130 of it was spent in caring for criminals.

Boston is not exceptional. In some cities the proportion of crime costs in the tax is as high as fourteen per cent.

Another feature of the cost of crime must be considered—that of what manufacturers call the cost of “the plant,” the permanent investment for institutions used for the care of criminals. This is not an annual expense, though some new institutions are built every year, and in many cases there is a large annual charge to meet interest and sinking fund requirements upon debts incurred for institutions not wholly paid for.

The cost of housing our criminals is a large one. The official valuation of state property so used in Massachusetts is \$4,934,163. The state penitentiary houses 795 prisoners, in an institution valued at \$1,232,500, including shops and houses for some officers—an average of \$1,550 per inmate. The Massachusetts Reformatory is valued at \$1,381,498.37. Its 929 inmates were provided for at a cost of \$1,487 per capita. The Reformatory Prison for Women had buildings and equipment valued at \$493,705, an average of \$2,887 for each of its 171 prisoners. (It was built for a much larger number, and if it were full, the per capita would be much lower.)

The total valuation of all the county prisons is nearly \$7,000,000, excluding furnishings; that of the state penal and reformatory institutions nearly \$5,000,000. That is, the taxpay-ers are maintaining their prisoners in institutions which have cost nearly \$12,000,000, in cash actually paid out—a real estate in-vestment made for them by the authorities, which yields no income whatever, but is a constant expense for maintenance, repairs, etc. To this must be added the cost of police stations, courthouses, etc., used for arrested criminals in process of conviction—another enormous investment of the money of the taxpayers.

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The figures which have been given are not guesses or estimates. They are from official reports, and, as has been said, they are far below the actual cost of crime—even of direct cost, to say nothing of the indirect expense. The Massachusetts expense is larger than it is in some states. The number of arrests is larger, because our standard is higher, and thousands are taken into custody, in the interest of public order, who would not be arrested elsewhere. Our institutions, especially our two reformatories, and our system of dealing with children, are also expensive, because we are trying to do reformatory, and not merely penal work.

The crime cost of Massachusetts may or may not be a sound basis for an estimate of that of other states, but one cannot be far from the truth if he estimates that ten per cent of all the money raised by taxation in this country is spent upon criminals.

Truly the criminal is an expensive citizen, and the warning of heavy taxation, touching the pockets of taxpayers, ought to be heeded by them. It should compel attention to the question whether the criminal is or is not a necessary evil; to the question whether crime and its cost can be reduced; whether, by a wise and scientific treatment, it is possible, by larger temporary expenditures, to lessen, eventually, the permanent burden of crime upon the taxpayers.

The state has never yet taken up these questions seriously and intelligently. It has continued in the old ways, though they have always failed, and have made no perceptible impression upon crime. Nobody pretends that the penal system ever accomplished anything worth while. It exists because it has existed, and we have deliberately shut our eyes to its defects, or have not had energy enough to devise a new system. If the statute book had blank pages where the laws are which prescribe our methods of dealing with crime, it would never occur to any intelligent man to fill them with the existing statutes.

What changes may be made which have some promise of reducing the cost of crime by reducing crime itself? The fundamental proposition regarding any new methods must be that crime is a product—not an accident; not an inevitable evil, to be merely endured. The aim must be to stop the production.

For generations we have been relying almost solely upon the police, the courts and the prisons for the work of dealing with crime. Of necessity they have been obliged to wait until a man

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(or a boy) became a criminal, and in most cases it was then too late. The most effective work must be that of preventing the people from becoming criminals.

The crime problem is the boy problem. Whatever will keep a boy decent and law-abiding through childhood and youth will tend to reduce adult crime. It is rare for such a boy to become a criminal (to do his first wrong act) after he is eighteen. In the tables of ages of persons committed to prison for the more serious offenses, the maximum is reached at about twenty-two. Immaturity, with its lack of sense and judgment, is responsible for a great deal of the crime.

One of the first things in a plan to keep city boys from wrong ways is the public playground, where a boy can do the thing which a boy wants to do, and ought to do, without breaking the law—a supervised playground, where the expenditure of his vitality can be directed. A twenty-thousand-dollar playground, bought on credit with five per cent bonds, will cost a thousand dollars a year for interest. It is far more effective in dealing with juvenile crime than a policeman costing a thousand dollars a year. It will carry many a boy through the play age and into the work age safely.

A boys' club has a similar value, and for similar reasons. If, in it, the boy can have the advantage of the help which comes from contact with good men and women, the friendship of somebody who will give him ideals which are better than his, he is likely to be kept in right paths without knowing that he wants to go into wrong ones.

The establishment of playgrounds is a public duty. The boys' club may be left for private charity. Eventually many of the boys' clubs will be supplied by the cities, in connection with the school buildings.

In passing, a word must be said for a school system which is adapted to the present-day wants of children and youth. The backward and defective children should receive special treatment. But this matter seems likely to take care of itself, under the impulse of leaders in education. It is sure to affect crime, a generation later.

For those who get into court, in spite of all that is done for children and youth, what? First of all, probation, not, as some suppose, to enable the court to be more lenient, but as a means of preventing crime. It is as important to prevent the second crime

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as it was to prevent the first. In some ways it is easier; in some ways it is harder. The first experience of a man in the hands of the policeman and of the court is a critical one. The responsibilities of the court, to the prisoner and to the community, are very grave. Whether he will be confirmed in criminal ways or turned from them, depends upon the wisdom of the court and upon its powers.

It is impossible for any court to do all that it should do, without probation powers and a good probation officer. The probation officer for boys should be an exceptional man, or woman. It should not be necessary to say this, but some of the selections made by some of the courts seem to show the existence of a feeling that almost anybody will do for a probation officer, even for children.

The slow progress in the adoption of the probation system is due mainly to the fact that it costs money. That it saves money seems to be forgotten. Massachusetts has tried probation nearly twenty years, not in a perfunctory way, but quite thoroughly. It is a recognized part of the judicial machinery, and is now considered absolutely indispensable. It costs a little more than one hundred thousand dollars a year. But it saves far more than it costs. The expenditures which would have been made, for food and clothing only, if all who were placed on probation had been sent to prison, would have been more than \$143,000. In other words, probation not only paid its own cost, but paid a profit of \$43,000, or more than forty per cent. This was a direct saving to the taxpayer. Besides, there was the gain which came from keeping the probationers at work, and compelling them to support themselves and their families. They were saved from the prison stigma, and from the evil influences involved in the contact of a first offender with hardened criminals in a prison. In a large percentage of the probation cases there was permanent reformation, while imprisonment resulted in confirming the first offender in criminal habits and courses. The most promising method for the reduction of the cost of crime is found in the adoption of the probation system.

Massachusetts has two features of the probation system which are not in general use elsewhere. The first relates to the treatment of public intoxication, or criminal drunkenness. The arrests for drunkenness seem very large because Massachusetts has a high standard of public decency. Men and women who are allowed

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at large in other states are arrested here. But there is a system of classification unknown elsewhere, in dealing with those arrested for this offense.

The state recognizes the fact that there are several classes of persons arrested for drunkenness—that all who get drunk are not drunkards. It divides them into the occasional and the habitual. So far as the arrest is concerned, all classes are treated alike. The policeman cannot tell what class a man belongs to when he finds him intoxicated in public. But the probation officer can decide. A written statement is made by the prisoner, telling his name, residence, number in his family, employment, etc. With complete alphabetical indexes, the probation officer is able to determine whether a man has been in custody before. If he finds that he has not been arrested for drunkenness twice before in the preceding twelve months, the probation officer may direct his release from the police station or house of detention. He is not sent to court. The great advantage is that he is saved from public exposure in the court dock, and spared the stigma of a conviction, and the possibility of a sentence, and imprisonment for the non-payment of a fine. The number released by direction of probation officers in 1908 was 31,813. The saving of the expenses of trying these persons was a large one—for witness fees, and the like. But there was a saving of even greater importance to the prisoners, for many were enabled to leave the stations early enough to get to their places of work, while under the old system they were kept in court so long that they lost their employment. The knowledge that a record of the arrest has been made, and that it will be taken into account on a second arrest, is a very valuable restraint.

It frequently happens that the probation officer is unable to satisfy himself as to previous arrests early enough to release the accused before the opening of the court. There is a provision for these cases—that the judge may release, without arraignment, those whom he thinks entitled to it as first offenders. Twenty-three thousand one hundred and five were thus released by the courts in 1908. In these cases the expense of trials is saved, and the accused are saved the stigma of a record, none being made when there is no arraignment.

A third use is made of the probation officer. He is made a collector of fines. Under the old system, a man who could not pay his fine as soon as it was imposed was committed to prison. Under the new system, if a fine is imposed, and if the prisoner is

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known to have a home and to be at work, a fine may be imposed, involving imprisonment for its non-payment. But the court may suspend the execution of the mittimus and place him on probation, giving him time to pay his fine. He is allowed to pay it to the probation officer, in instalments, if that is thought best. This method is applicable to all classes of cases in which fines are imposed, and some large fines are collected in this way. If a man is sent to jail, as a rule he is unable to pay his fine. Being allowed to remain at liberty, he is able to earn it and pay it.

Imprisonment for debts owing to individuals was abolished long ago, but if a man owed the public a cent or a dollar, for a fine, he was locked up until he paid it. Under the new system he is saved from imprisonment, keeps his work and supports himself and his dependents. The taxpayer saves the cost of his commitment and support, and the amount collected by the probation officer, without a cent of expense, is far larger than that collected by the prison keeper, who usually secured but a small part of the fines owed by prisoners.

Another use of the probation officer is found in the application of a new method of dealing with those who have injured others in person or in property. The state ought to see that they make reparation or restitution. Instead, the offender has been required to pay a fine into the public treasury, while the injured person suffered the damage or loss. Now, in many cases, probation is permitted, on the condition that the probationer pay for the injuries caused by him. If he cannot pay at once, time is given him, and he makes the payment to the probation officer. This is just, and, besides, it teaches a great lesson regarding property rights—that if a man wrongs another, he must right the wrong. It is far more effective than punishment, and it costs nothing.

The probation service may be greatly extended. At first it was supposed to be applicable only to petty offenses. It is now used for some of the graver ones, and with excellent results. It has been found that the character of the offender, rather than that of the offense, is the real ground for probation.

In dealing with those who cannot be placed on probation, there are enormous wastes. The jail system is very expensive, not only in the cost of the custody of jail prisoners, but as a maker of criminals. Almost no attention has been given to keeping men out of the jails, and comparatively little has been given to improv-

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ing their character. The promiscuous association of persons awaiting trial has no rival as a crime-producer. Young and old; beginners in crime and hardened offenders are thrown into the closest contact, sometimes for months.

The jail as it now exists is an unnecessary evil. Its management can be so improved that it will do much less harm than it now does, and the number imprisoned in jail may be greatly reduced. It seems to have been forgotten that there might be, and there should be, a revision of our penal laws which would result in keeping out of jail many who now spend time in them, waiting trial. The state is suffering from an antiquated and absurd classification of crimes. It was made when values of property (actually and relatively) were very different from what they are to-day. The statutory lines which separate felonies from misdemeanors were drawn many years ago, in the older states, and the newer states have copied them, instead of taking up the question as a new one.

The courts and the legislature are far apart in their judgment regarding the quality and character of offenses. The penal statutes make felonies of a great host of crimes, but they give the courts a large discretion, and permit them to impose petty sentences for offenses which are, technically, grave. Only a very small percentage of those who have committed felonies are punished by imprisonment in penitentiaries; but because they are "felonies," those who commit them must be sent to jail to await the action of a higher court, because the lower courts have not jurisdiction. The time has come for a revision of the penal laws, and for such a readjustment of penalties as shall bring the statutes and the courts into harmony. If the legislature of any state would take the list of offenses for which imprisonment in state penitentiaries is imposed by the courts, and would draw the line between felonies and misdemeanors where the judges draw it, the number of felonies would be greatly reduced.

The jurisdiction of most of the lower courts is also in great need of revision and enlargement. As a rule it was fixed when judges had small salaries, and their positions did not command men of large judicial qualifications. Now many of these courts are presided over by men of abilities equal to those of judges of the higher courts. They should be trusted with larger powers, and allowed to pass finally on cases with which they are not now permitted to deal.

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With such a revision of penal laws as will result in new lines between felonies and misdemeanors, and with the enlargement of the jurisdiction of lower courts, the number of men sent to jail to await trial might be greatly reduced, with a consequent great reduction in expenses.

The next step in the reduction of crime and of crime cost will be toward the adoption of a reasonable penal system. The keynote of this must be classification. The present treatment of the drunkard has no justification. He ought not to be put with men who have committed offenses against persons and against property. He needs air, light, exercise, work. His restoration to normal conditions of body and mind requires time. Instead, he is shut up in closed buildings for a few days, long enough to get sober, and is discharged, without restraint, just at a time when his thirst is strongest. The utter failure of the system is admitted. Men go through this treatment ten, twenty, fifty, a hundred times, and are made no better by it.

Why should men of this class be housed in buildings costing \$1,000 an inmate, when they need farm life and can be suitably housed for a fraction of the present cost?

With many of them inebriety is a disease, and should be treated medically, by expert physicians, who have made a study of the subject, and they should have the facilities afforded by a hospital. Many of them will never recover, and such should have custodial care, in buildings of moderate cost, where they can be employed at farm work. The expense of caring for this class can be greatly reduced, with better results than are now secured.

For those who remain in jails, houses of correction and work-houses after those committed for drunkenness have been removed, it should be possible to devise a reformatory treatment which shall, at least, aim to improve them. So far as the adage, "Once a criminal, always a criminal," is true, it is an indictment of the system of dealing with them. The state should not take the control of any bad man, even for a short period, without trying to make him better. But the average short-term prisoner is made worse, rather than better, by his imprisonment. Promiscuous association with other criminals, idleness, absence of all means to stimulate to better lives produce their results. Release, with no effort on the part of the state to find employment—the release of a homeless, penniless, friendless, jobless man is naturally followed by new crimes and new expenses. A small expenditure in behalf of

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the prisoner in confinement, a small outlay to care for him when he is discharged, the salary of an agent whose business it should be to secure him work in advance of his release—these would prevent many from relapsing into crime. Much has been done, in recent years, for men who have committed serious crimes, but the petty offender, the workhouse prisoner, far more numerous, more expensive and in some ways more dangerous, has been utterly neglected.

The younger serious offenders have commanded the attention they deserved, and in many states well-conceived, well-organized and well-administered reformatories have been established. They are accomplishing much for the reduction of crime—for the prevention of the second offense. The cost is large, but it has justified itself by its results. Every state should have its reformatories for men and for women, and they should be so multiplied that every young man or woman who has a long sentence shall have reformatory treatment.

The place of the penitentiary in the penal system is not well defined. Some consider it at the top; others at the bottom. In spite of the discoveries in penal science, though many of the penitentiaries have been greatly improved, many others are unchanged. They are what they were fifty years and more ago, places for the mere confinement of men who have committed the worst crimes—the men who are supposed to be the most dangerous to the community. They are better housed, better fed, and better cared for than formerly. Physical conditions are improved. Yet the penitentiary is still hardly more than the response of the state to the public demand for the mere punishment of men who have committed serious crimes.

If the penitentiary prisoners were to remain in prison for life, the community would have little reason to inquire as to their treatment. But most of them are to return to the community within a few years. In 1904 there were 53,292 in state and county penitentiaries. One hundred and thirty-three were under death sentences, awaiting execution; 5,026 were serving life sentences; 48,133 were serving time sentences. Seven-eighths of those who had definite term sentences, in all prisons (the penitentiary prisoners are not separable from the others), were held to serve less than ten years each. The number committed to penitentiaries in 1904 was 32,532, which is a fair average. About

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the same number of penitentiary prisoners are discharged each year.

They are pouring out, into the community, at the rate of nearly 100 a day—these supposedly bad men and women. They were put away because they were believed to be unfit to be at large, and a large percentage of them return no better than they were when they were committed. Many of them are made worse. For many of them the state has not made one intelligent effort to improve their characters. It has wasted a great opportunity, and has also wasted the money of the taxpayers, which it has spent solely upon custodial care. It has protected the public merely during the term of the prisoner's detention, when, by his reformation, it might have protected it permanently.

It is as important to reform the penitentiary prisoner as it is to change the character of the inmate of the reformatory. The essential features of reformatory treatment are well known—classification, grading with promotion from grade to grade on merit; industrial training; mental training—whatever will prepare a man for free life and enable him to compete with men who have not been in prison. Long imprisonment unfits men for liberty. The life of dependence, in which the warden does for them what free men have to do for themselves, destroys their capacity for caring for themselves, unless they can be kept active artificially. The man who has had his three meals a day, his shelter, his clothing, everything, furnished for him without any effort of his own, becomes helpless. The ordinary man who comes from the ordinary penitentiary, after a long sentence, has become an incapable. The modern system keeps his faculties alive. The system in vogue in the great reformatories will not produce as good results with the older penitentiary men, but a helpful adaptation of it will keep many a penitentiary prisoner from relapsing when he is free.

For the penitentiary, as for the reformatory, the indeterminate sentence and parole are essential. It is unscientific and unbusinesslike to impose a sentence which involves the release of a man from imprisonment at a date fixed beforehand. No judge can tell when he will be fit for release. The decision of that question is an administrative function. It is unscientific and unbusinesslike to release a man absolutely, to do as he pleases, without restraint. He should be made to demonstrate his fitness for liberty, not in a prison, merely, but outside. There should be a

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supervision and control of his conduct, close and friendly, until he has adjusted himself to his new relations.

Probably no other state has been as businesslike as Indiana in the supervision, care and control of parole prisoners. The results have a direct bearing upon questions relating to the cost of crime. Most of the prisoners were unemployed when they committed their crimes; many of them were unskilled. Both penitentiary and reformatory prisoners were so trained that they were better prepared for competitive life than they were when sent away.

They were paroled when they had earned release. They went from prison to regular employment, found for them beforehand; they were required to make regular written reports, and they were visited by parole agents. In the eleven years ending April 1, 1908, paroles had been granted to 3,983 men. The parole period was at once one year. During the time they were on parole they earned \$1,079,375, and saved out of it \$196,683. That the habits of industry, established while they were under parole, were fairly permanent, after restraint ceased, cannot be doubted. When a man has learned to earn and has experienced the satisfaction which comes from saving, he is not likely to return to the thriftless habits which had much to do with making him a criminal.

That this system reduces crime is proved by the fact that since it went into effect, in 1897, there has been a decrease of fifteen per cent in commitments to the Indiana state prison and the reformatory, in spite of an increase of about fifteen per cent in the population of the state.

Lest someone should think that this system is favored for sentimental reasons, because it results in greater leniency to the prisoners, it should be said that the period of imprisonment was longer than it was under the old system. Time is required to fit an unskilled, undisciplined man for free life, and the expense is larger, but the saving far overbalances the cost.

It has been thought by many that modern methods of dealing with crime were adopted mainly in the interests of the criminals—some have supposed merely to make the way of the transgressor easier. What has been said of preventive work, of probation, of classification of prisoners and of treatment which has reformation as its definite end, shows that they are of as great interest to the taxpayer as they are to the philanthropist. Every one of the

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new methods has a solid business foundation. Every one of them has as its purpose the reduction of crime, which must precede the reduction of the cost of crime. Their more general adoption and extension should have the support of every business man, for they constitute his only hope for any release from the financial burden of crime, a burden which steadily increases wherever the old methods are in vogue.